



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,889	12/20/2001	Jae Yoon Jeong	0630-1386P	2124

2292 7590 11/05/2003

BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER

SONG, JASMINE

ART UNIT	PAPER NUMBER
----------	--------------

2188

DATE MAILED: 11/05/2003

3

1

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/022,889

Applicant(s)

JEONG, JAE YOON

Examiner

Jasmine Song

Art Unit

2188

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **Detailed Action**

1. Claims 1-20 are represented for examination.

### **Specification**

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### **Drawings**

3. The drawings filed on 12/20/2001 have been approved by the Examiner.

### **Oath/Declaration**

4. The applicant's oath/declaration has been reviewed by the examiner and is found to conform to the requirements prescribed in 37 C.F.R. 1.63.

### **Title**

5. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### **Abstract**

6. The abstract of the disclosure is objected to because the second occurrence "the contents" in lines 7 should be deleted. Correction is required. See MPEP § 608.01(b).

### **Priority**

7. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### **Claim Rejections - 35 USC § 102**

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Itoi., US 2001/0012440 A1.

Regarding claim 1, Itoi teaches that an apparatus for moving contents,  
comprising:

an input unit (it is taught as the tuner section 12 as shown in Fig.1, col.2, section 0031) for inputting contents; and

a control unit (it is taught as the general control section 11 in Fig.1) for controlling moving of the contents to other medium (one of storage medium such as the hard disk drive 2, the optical disk drive 3 and the VTR 4 as shown in Fig.1) by analyzing a copy control code of the contents (col.3, section 0041).

Regarding claim 2, Itoi teaches further comprising a storage medium (it is taught as other external apparatus, col.2, section 0029, lines 7-8 and section 0033, lines 6-9) for storing the inputted contents (the stream data stored in the tuner section 12 as shown in Fig.1).

Regarding claim 3, Itoi teaches that an apparatus for moving contents, comprising: a receiver for receiving contents (it is taught as the tuner section 12 as shown in Fig.1, col.2, section 0031); a storage medium (it is taught as other external apparatus, col.2, section 0029, lines 7-8 and section 0033, lines 6-9) for storing the received contents; and a processor (col.2, section 0030) for processing a program which controls of moving the contents to other storage medium (one of storage medium such as the hard disk drive 2, the optical disk drive 3 and the VTR 4 as shown in Fig.1) by analyzing a copy control code of the contents (col.3, section 0041).

Regarding claim 4, Itoi teaches wherein the processor converts the copy control code of the contents to a single copy, when the contents of which the copy control code is set as no copy are moved to the other storage medium (col.3, section 0043, lines 9-14).

Regarding claim 5, Itoi teaches wherein the processor deletes the original contents of the storage medium after the contents move to the other storage medium (col.3, section 0038, lines 6-12).

Regarding claim 6, Itoi teaches further comprising an interface (Fig.1, digital interface section 14) for interfacing between the storage medium and the other storage medium (col.2, section 0033, lines 6-9).

Regarding claim 7, Itoi teaches that a method for moving contents, comprising the steps of: analyzing a copy control code of the contents when a user demands moving the contents (col.3, section 0043, lines 9-14) from a first storage medium (it is taught as other external apparatus, col.2, section 0029, lines 7-8 and section 0033, lines 6-9) to a second storage medium (one of storage medium such as the hard disk drive 2, the optical disk drive 3 and the VTR 4 as shown in Fig.1); and storing the contents in the second storage medium by converting the copy control code of the contents according to the result of analysis (col.3, section 0041).

Regarding claim 8, Itoi teaches wherein the copy control code of the contents is converted by increasing one time to a possible number of copy of the contents if the copy control code is set as restricted copy as the result of the above analysis (it is taught as contents inputted with the copy control code of "10" which copying is permitted only once, col.3, section 0045).

Regarding claim 9, Itoi teaches wherein the copy control code of contents is not converted if the copy control code is set as unrestricted copy (it is taught as contents inputted with the copy control code of "00" which copy-free, col.3, section 0044).

Regarding claim 10, Itoi teaches that the copy control code is converted to a single copy if the copy control code is set as no copy (col.3, section 0043, lines 9-14).

Regarding claim 11, Itoi teaches further comprising a step of: deleting original contents stored in the first storage medium (col.3, section 0038, lines 6-12).

Regarding claim 12, Itoi teaches that a method for moving contents, comprising the steps of:

reading a set value of a moving determination bit in a header of packet of the contents (it is taught as the copy control code is "00", 10" etc.) if a user demands moving contents (col.3, section 0041, lines 5-10) from a first storage medium (it is taught as other external apparatus, col.2, section 0029, lines 7-8 and section 0033, lines 6-9) to a second storage medium (one of storage medium such as the hard disk drive 2, the optical disk drive 3 and the VTR 4 as shown in Fig.1);

judging whether the contents can be moved according to the set value (col.3, section 0041); and

moving the contents from the first storage medium to the second storage medium if the contents can be moved as the result of the above judgement (col.3, section 0041).

Regarding claim 13, Itoi teaches further comprising a step of: deleting original contents stored in the first storage medium (col.3, section 0038, lines 6-12).

Regarding claim 14, Itoi teaches wherein the moving determination bit is set using a bit of the packet (col.5, section 0063).

Regarding claim 15, Itoi teaches wherein the step of moving is to copy the contents from the first storage medium to the second storage medium regardless of the result of judgement of the possible number of copy (col.4, section 0054).

Regarding claim 16, Itoi teaches wherein the step of moving comprises the steps of:

analyzing the copy control code of the contents (col.3, section 0041); and deleting the original contents stored in the first storage medium after storing the contents in the second storage medium by converting the copy control code of the contents (col.3, section 0038, lines 6-12) according to the result of analysis.

Regarding claim 17, Itoi teaches wherein the copy control code is converted by increasing one time to a possible number of copy of the contents if the copy control



code is set as restricted copy as the result of the above analysis (it is taught as contents inputted with the copy control code of "10" which copying is permitted only once, col.3, section 0045).

Regarding claim 18, Itoi teaches wherein the copy control code is not converted if the copy control code is set as unrestricted copy as the result of the above analysis(it is taught as contents inputted with the copy control code of "00" which copy-free, col.3, section 0044).

Regarding claim 19, Itoi teaches wherein the copy control code is converted to a single copy if the copy control code is set as no copy as the result of the above analysis (col.3, section 0043, lines 9-14).

Regarding claim 20, Itoi teaches further comprising a step of:  
copying the contents from the first storage medium to the second storage medium if the contents can not be moved by the set value (col.4, section 0054).

## **Conclusion**

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ogino et al.,	US 2002/0156742
Nakamura et al.,	US 6603576 B1
Kawamae et al.,	US 6578149 B1

Shear et al.,

US 2001/0042043A1

11. When responding to the office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections. See 37 C.F.R. 1.111 (c).

12. When responding to the office action, Applicants are advised to provide the examiner with the line numbers and page numbers in the application and/or references cited to assist examiner to locate the appropriate paragraphs.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasmine Song whose telephone number is 703-305-7701. The examiner can normally be reached on 8:00-5:30 (first Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mano Padmanabhan can be reached on 703-306-2903. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Jasmine Song



Patent Examiner

October 29, 2003

  
10/31/03

Mano Padmanabhan

Supervisory Patent Examiner

Technology Center 2100